

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GARY C. TANNER,) CASE NO. C07-0713-JCC-MAT
)
 Plaintiff,)
)
 v.) ORDER DIRECTING PLAINTIFF TO
)
) SUBMIT REVISED AMENDED
 DR. KENNEY, et al.,) COMPLAINT
)
 Defendants.)
)

Plaintiff recently submitted an “Amended Complaint.” (Dkt. 15.) Pursuant to Federal Rule of Civil Procedure 15(a), plaintiff may amend his pleading once as a matter of course at any time prior to the service of a responsive pleading. As defendants have not yet responded to plaintiff’s original complaint, plaintiff does not require leave of court to amend his complaint.

However, the Court finds a revised amended complaint necessary in this case. An amended complaint supercedes the original. *Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir. 1992). Therefore, “[a]ll causes of action alleged in an original complaint which are not alleged in an amended complaint are waived.” *King v. Atiyeh*, 814 F.2d 565, 567 (9th Cir. 1987). Here, plaintiff appears to have submitted a supplement to his original complaint, rather than an amended

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01 complaint stating his claims and requests for relief in full. As such, plaintiff is directed to file a
02 revised amended complaint within **thirty (30) days** of the date of this Order. The amended
03 complaint must be filed under the same case number as this one, and will operate as a complete
04 substitute for, rather than a mere supplement to, the original complaint.

05 The Clerk is directed to send copies of this Order to plaintiff, to defendants, and to the
06 Honorable John C. Coughenour.

07 DATED this 25th day of June, 2007.

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10 Mary Alice Theiler
11 United States Magistrate Judge
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